

United States District Court

for the
Western District of New York

United States of America

v.

Jonathan Ricardo Urbina Molina

Case No. 21-mj-5028

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

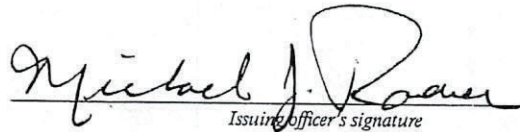
YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (*name of person to be arrested*) **Jonathan Ricardo Urbina Molina**, who is accused of an offense or violation based on the following document filed with the Court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Title 8, United States Code, Section 1326(a).

Date: February 12, 2021


Issuing officer's signature

City and State: Buffalo, New York

HONORABLE MICHAEL J. ROEMER
UNITED STATES MAGISTRATE JUDGE
Printed name and Title

Return

This warrant was received on (*date*) _____, and the person was arrested on (*date*) _____,
at (*city and state*) _____.

Date: _____

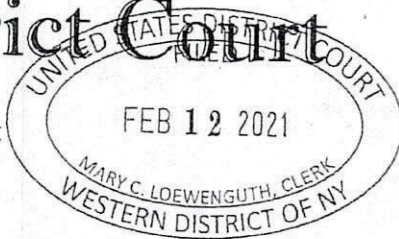
Arresting officer's signature

Printed name and title

AO 91 (Rev. 02/09) Criminal Complaint

United States District Court

for the
Western District of New York



United States of America

v.

Case No. 21-mj- 5028

Jonathan Ricardo Urbina Molina

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about January 31, 2021, in the Western District of New York, the defendant, JONATHAN RICARDO URBINA MOLINA, an alien, who had previously been deported and removed from the United States on or about January 10, 2020, while an order of exclusion, deportation or removal was outstanding, was found in the United States without having obtained the express consent of the Attorney General of the United States, or his successor, the Secretary of Homeland Security, to reapply for admission to the United States.

All in violation of Title 8, United States Code, Section 1326(a).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

William J. Schoenrock

Complainant's signature

WILLIAM SCHOENROCK
ENFORCEMENT OFFICER
CUSTOMS AND BORDER PROTECTION

Printed name and title

Sworn to before me and signed telephonically.

Date: February 12, 2021

City and State: Buffalo, New York

Michael J. Roemer

Judge's signature

HONORABLE MICHAEL J. ROEMER
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

WILLIAM J. SCHOENROCK being duly sworn deposes and states:

1. I am an Enforcement Officer with United States Customs and Border Protection ("CBP"), within the Department of Homeland Security ("DHS"), formerly known as the Immigration and Naturalization Service, and have been so employed for the past 28 years. In such capacity, my duties include investigating individuals suspected of violating federal immigration laws and other related federal statutes.

2. As part of my current duties, I have become involved in an investigation of suspected violation of Title 8, United States Code, Section 1326(a).

3. I make this affidavit in support of the annexed criminal complaint charging Jonathan Ricardo URBINA MOLINA, hereinafter referred to as "Urbina," an alien, born 1995 in Honduras, with being found in the United States without the expressed consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, after having been deported or removed from the United States, in violation of Title 8, United States Code, Section 1326(a).

4. This affidavit is being submitted for the limited purpose of securing a Criminal Complaint. I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the Urbina did knowingly violate Title 8, United States Code, Section 1326(a).

5. On Sunday January 31, 2021, at approximately 11:12 a.m., at the Lewiston Bridge port of entry in Lewiston, New York, in the Western District of New York, CBP Officer C. Mendola was assigned to primary inspection duties when he encountered Urbina. Urbina was traveling in a vehicle bearing State of Michigan registration containing five individuals. Officer Mendola reported that Canada Border Services Agency had denied their entry to Canada. Officer Mendola entered Urbina's name and date of birth into the Vehicle Primary Client computer and found Urbina to be the subject of an immigration lookout. Officer Mendola, as part of normal procedure, had the vehicle and occupants escorted to secondary for further inspection.

6. CBP Officer B. Anderschott conducted an electronic search of Urbina's fingerprints in the Integrated Automated Fingerprint Identification System (IAFIS). This search was conducted to verify his identity and any immigration history he may have in the United States. The fingerprint search revealed that Urbina was an identical biometric match to FBI number NXX5EFXXX and immigration fingerprint identification number 1299821XXX.

7. Electronic Records associated to the indexed FBI number revealed that Urbina was arrested by U.S. Border Patrol agents near McAllen, Texas in January 2020. Records associated to the immigration fingerprint identification number verified Urbina's arrest by Border Patrol agents in January 2020, and revealed that he was expeditiously ordered removed from the United States. The indexed FBI and immigration fingerprint identification numbers both referenced alien file number A213 541 XXX.

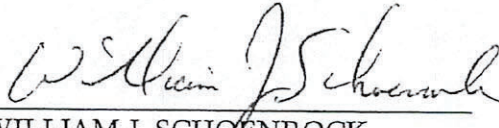
8. Immigration electronic records associated to the alien file number and immigration fingerprint identification number confirmed that U.S. Border Patrol agents previously encountered Urbina in January 2020 while illegally present in the United States. Records further confirmed that Urbina was then ordered removed from the United States by way of Expedited Removal, and was physically deported to Honduras on January 10, 2020.

9. Your affiant, on February 1, 2021, received electronically from the National Records Center in Lee's Summit, Missouri, removal documents from alien file number A213 541 XXX. Included were immigration forms I-860 (Notice and Order of Expedited Removal), I-296 (Notice to Alien Ordered Removed/Departure Verification) and I-213 Record of Deportable/Inadmissible Alien. Immigration form I-213 contained Urbina's photograph and fingerprint impressions of his right and left index fingers. Immigration form I-213 referenced the FBI (NXX5EFXXX) and immigration fingerprint identification numbers (1299821XXX) that were assigned to Urbina upon his arrest in January 2020. Immigration form I-296 contained Urbina's photograph and a deportation officer's signature verifying his deportation to Honduras on January 10, 2020. Immigration form I-

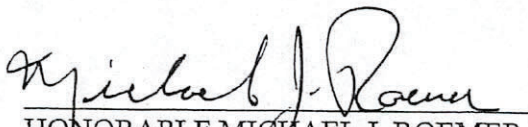
296 provided a warning to Urbina that he is prohibited from entering, attempting to enter, or being found in the United States for a period of five years without the express consent of the Secretary of the of the Department of Homeland Security.

10. A review of electronic immigration records revealed that Urbina did not apply for or receive permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States.

WHEREFORE, I respectfully submit the foregoing facts to establish probable cause to believe that on January 31, 2021, Jonathan Ricardo URBINA MOLINA, an alien, was found in the United States after having been previously deported or removed from the United States, without the requisite permission from the United States Attorney General, or the Secretary for the Department of Homeland Security, in violation of Title 8, United States Code Section 1326(a).


WILLIAM J. SCHENROCK
Enforcement Officer
U.S. Customs and Border Protection

Sworn to and subscribed telephonically
me this 12th day of February 2021.


HONORABLE MICHAEL J. ROEMER
United States Magistrate Judge